

HOUSE BILL 24

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E1

2004 Regular Session
(4lr0358)

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Delegate Boutin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law - Animal Cruelty - Dogfighting and Cockfighting**

3 FOR the purpose of prohibiting a person from knowingly attending as a spectator a
4 deliberately conducted event that uses a fowl, cock, or other bird to fight with
5 another fowl, cock, or other bird; prohibiting a person from possessing, owning,
6 selling, transporting, or training a dog or a fowl, cock, or other bird *with the*
7 *intent to use the animal* for certain purposes; prohibiting a person from
8 possessing certain implements or devices relating to a fowl, cock, or other bird
9 fighting with another fowl, cock, or other bird *under certain circumstances*;
10 prohibiting a person from knowingly allowing certain premises to be used to
11 conduct dogfights or fights between fowl, cocks, or other birds; prohibiting a
12 person from arranging or conducting a dogfight or a fight in which a fowl, cock,
13 or other bird fights another fowl, cock, or other bird; defining certain terms;
14 authorizing a court to order psychological counseling under certain
15 circumstances; establishing certain penalties; and generally relating to animal
16 cruelty, dogfighting, and cockfighting.

17 BY repealing and reenacting, with amendments,

1 Article - Criminal Law
2 Section 10-605, 10-607, and 10-608
3 Annotated Code of Maryland
4 (2002 Volume and 2003 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - Criminal Law**

8 10-605.

9 (a) A person may not knowingly attend a deliberately conducted dogfight as a
10 spectator.

11 (B) A PERSON MAY NOT KNOWINGLY ATTEND AS A SPECTATOR A
12 DELIBERATELY CONDUCTED EVENT THAT USES A FOWL, COCK, OR OTHER BIRD TO
13 FIGHT WITH ANOTHER FOWL, COCK, OR OTHER BIRD.

14 [(b)] (C) (1) A person who violates this section is guilty of a misdemeanor
15 and on conviction is subject to imprisonment not exceeding 90 days or a fine not
16 exceeding \$1,000 or both.

17 (2) As a condition of sentencing, the court may order a defendant
18 convicted of violating this section to participate in and pay for psychological
19 counseling.

20 10-607.

21 (a) A person may not:

22 (1) use or allow a dog to be used in a dogfight; [or]

23 (2) arrange or conduct a dogfight;

24 (3) POSSESS, OWN, SELL, TRANSPORT, OR TRAIN A DOG ~~FOR THE~~
25 ~~PURPOSE OF BEING USED~~ WITH THE INTENT TO USE THE DOG IN A DOGFIGHT; OR

26 (4) KNOWINGLY ALLOW PREMISES UNDER THE PERSON'S OWNERSHIP,
27 CHARGE, OR CONTROL TO BE USED TO CONDUCT A DOGFIGHT.

28 (b) (1) A person who violates this section is guilty of the felony of aggravated
29 cruelty to animals and on conviction is subject to imprisonment not exceeding 3 years
30 or a fine not exceeding \$5,000 or both.

31 (2) As a condition of sentencing, the court may order a defendant
32 convicted of violating this section to participate in and pay for psychological
33 counseling.

1 10-608.

2 (a) (1) IN THIS SECTION, "IMPLEMENT OF COCKFIGHTING" MEANS ANY
3 IMPLEMENT OR DEVICE INTENDED OR DESIGNED:

4 (I) TO ENHANCE THE FIGHTING ABILITY OF A FOWL, COCK, OR
5 OTHER BIRD; OR

6 (II) FOR USE IN A DELIBERATELY CONDUCTED EVENT THAT USES A
7 FOWL, COCK, OR OTHER BIRD TO FIGHT WITH ANOTHER FOWL, COCK, OR OTHER
8 BIRD.

9 (2) "IMPLEMENT OF COCKFIGHTING" INCLUDES:

10 (I) A GAFF;

11 (II) A SLASHER;

12 (III) A POSTIZA;

13 (IV) A SPARRING MUFF; AND

14 (V) ANY OTHER SHARP IMPLEMENT DESIGNED TO BE ATTACHED IN
15 PLACE OF THE NATURAL SPUR OF A GAMECOCK OR OTHER FIGHTING BIRD.

16 (B) A person may not:

17 (1) use or allow the use of a fowl, cock, or other bird to fight with another
18 animal;

19 (2) POSSESS, WITH THE INTENT TO UNLAWFULLY USE, AN IMPLEMENT
20 OF COCKFIGHTING;

21 (3) ARRANGE OR CONDUCT A FIGHT IN WHICH A FOWL, COCK, OR OTHER
22 BIRD FIGHTS WITH ANOTHER FOWL, COCK, OR OTHER BIRD;

23 (4) POSSESS, OWN, SELL, TRANSPORT, OR TRAIN A FOWL, COCK, OR
24 OTHER BIRD ~~FOR THE PURPOSE OF ENGAGING IN FIGHTING~~ WITH THE INTENT TO
25 USE THE FOWL, COCK, OR OTHER BIRD IN A COCKFIGHT; OR

26 (5) KNOWINGLY ALLOW PREMISES UNDER THE PERSON'S OWNERSHIP,
27 CHARGE, OR CONTROL TO BE USED TO CONDUCT A FIGHT IN WHICH A FOWL, COCK,
28 OR OTHER BIRD FIGHTS WITH ANOTHER FOWL, COCK, OR OTHER BIRD.

29 [(b)] (C) (1) A person who violates this section is guilty of the felony of
30 aggravated cruelty to animals and on conviction is subject to imprisonment not
31 exceeding 3 years or a fine not exceeding \$5,000 or both.

32 (2) As a condition of sentencing, the court may order a defendant
33 convicted of violating this section to participate in and pay for psychological
34 counseling.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2004.